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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/656,938 | 09/05/2003 | John A. Devos | 200207142 | 8761 |
| 22879 | 7590 | 10/04/2005 | EXAMINER | |
| HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400 | | | LA, ANH V | |
| | | ART UNIT | PAPER NUMBER | 2636 |

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/656,938 | JOHN A. DEVOS | |
| | Examiner | Art Unit | |
| | Anh V. La | 2636 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-44 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-44 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>9/5/03</u> . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hogue in view of Fantone.

Regarding claim 1, Hogue discloses a sensor comprising a substrate 114, 116, at least one element containing at least one electro conductive material and having an active region configured in at least one of conductive mode. Hogue does not disclose the element imprinted on the substrate wherein the element is visually indiscernible from the substrate. Fantone teaches the use of an element imprinted on a substrate wherein the element is visually indiscernible from the substrate (column 6,lines 55-67). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the element imprinted on the substrate wherein the element is visually indiscernible from the substrate to the sensor of Hogue as taught by Fantone for the purpose of conducting electricity.

Regarding claim 14, Hogue discloses a sensor comprising a first element containing electro conductive material (fig. 3), a second element, a power source 158,

one power consuming source 142. Hogue does not disclose the element being visually indiscernible from the substrate. Fantone teaches the use of an element being visually indiscernible from the substrate (column 6,lines 55-67). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the element being visually indiscernible from the substrate to the sensor of Hogue as taught by Fantone for the purpose of conducting electricity.

Regarding claims 21, 43, Hogue discloses device comprising a first substrate 114, a second substrate 116, at least one element containing at least one electro conductive material. Hogue does not disclose the element imprinted on the substrate wherein the element is visually indiscernible from the substrate. Fantone teaches the use of an element imprinted on a substrate wherein the element is visually indiscernible from the substrate (column 6,lines 55-67). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include the element imprinted on the substrate wherein the element is visually indiscernible from the substrate to the sensor of Hogue as taught by Fantone for the purpose of conducting electricity.

Regarding claims 2, 17, Hogue discloses the substrate comprising at least two opposed surfaces (figure 3).

Regarding claim 3, Hogue discloses the elements being in overlapping contact when opposed surfaces are in overlying contact to one another (fig. 3).

Regarding claim 4, Fantone discloses the element on opposed surface being in offset contact when the opposed surfaces are in overlying contact to one another (fig. 3).

Regarding claims 5, 19, 35, Fantone discloses the element being transparent (col. 6, lines 55-67).

Regarding claims 6, 20, 36, Hogue discloses the element being translucent (col. 6, lines 55-67).

Regarding claims 7, 37, 44, Hogue discloses a power source 158 and a logic circuit 136.

Regarding claim 8, Hogue discloses first and second surfaces moveable relative to one another (fig. 3).

Regarding claim 9, Hogue discloses the first and second contact surfaces being opposed to one another (fig. 3).

Regarding claims 10, 18, Hogue discloses the first and second surfaces being offset from one another (fig. 3).

Regarding claim 11, Hogue discloses the lead containing electro conductive material.

Regarding claim 12, Hogue discloses the lead containing electro conductive material.

Regarding claim 13, Hogue discloses a switch 140.

Regarding claim 15, Hogue discloses a logic and sensing circuit 136.

Regarding claim 16, Hogue discloses a switch 140, a logic and sensing circuit.

Regarding claim 22, Hogue discloses the element being electro conductive element being removable contact with one another (fig. 3).

Regarding claim 23, Hogue discloses a logic and sensor circuitry, and electro conductive element contact 140.

Regarding claim 24, Hogue discloses the element being a conductor.

Regarding claims 25, 32, Hogue discloses a power source 158.

Regarding claims 26, 33, Hogue discloses the power source being located in the substrate (fig. 3).

Regarding claims 27, 31, Hogue discloses a logic and sensor circuitry, a switch 140, and electro conductive element contact 140.

Regarding claim 28, Hogue discloses the element being opposed moveable contact with one another (fig. 3).

Regarding claim 29, Hogue discloses the element being in offset removable contact with one another (fig. 3).

Regarding claim 30, Hogue discloses the element being a conductor.

Regarding claim 34, Hogue as modified by Fantone discloses an electro conductive ink.

Regarding claim 38, Hogue discloses paper 114, 116.

Regarding claim 39, Hogue discloses a codex.

Regarding claim 40, Hogue discloses a flexible sheet having at least one fold region (fig. 3).

Regarding claim 41, Fantone further discloses a control mechanism for illuminating selected electro conductive ink. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a control mechanism for illuminating selected electro conductive ink to the device of Hogue as taught by Fantone for the purpose of conducting electricity.

Regarding claim 42, Hogue discloses a device for storing and retrieving preprogrammed logic (fig. 3).

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bailey and Hamada transparent electrical conductive ink.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V. La whose telephone number is (571) 272-2970. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANH V. LA
PRIMARY EXAMINER

Anh V La
Primary Examiner
Art Unit 2636

AI
September 08, 2005